

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Hegenauer et al.

Application No. 10/722,368

Filed: November 24, 2003

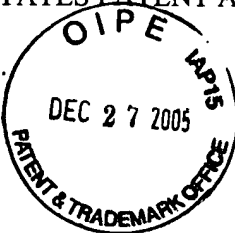
Confirmation No. 4632

For: COMPOSITIONS, METHODS, AND KITS
FOR WEIGHT LOSS AND INHIBITING THE
LOSS OF LEAN BODY MASS

Examiner: Susan D. Coe

Art Unit: 1655

Attorney Reference No. 3790-66390-01



CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney or Agent
for Applicant(s)

Kevin M. Hayes

Date Mailed December 22, 2005

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TRANSMITTAL LETTER

Enclosed for filing in the application referenced above are the following:

- ☒ Reply to Restriction Requirement and Species Election Requirement
- ☒ The Director is hereby authorized to charge any additional fees that may be required, or credit over-payment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.
- ☒ Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By

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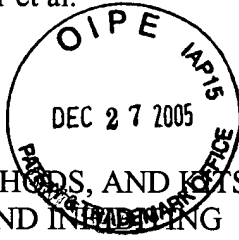
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REPLY TO RESTRICTION REQUIREMENT AND SPECIES ELECTION REQUIREMENT

This is a reply to the Restriction Requirement dated November 22, 2005. A one-month period for response was set, making a reply due on or before December 22, 2005.

Applicants elect Group I of the Restriction Requirement (claims 1-18 and 75-88), with traverse. In response to the request for election of species, Applicants elect the species that additionally comprises corosolic acid, magnesium, zinc, taurine, vanadium, and alpha lipoic acid, with traverse. Claims 1-17 and 75-86 read on the elected species.

Remarks begin on page 2.